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Proposed Counsel to the Debtors and Debtors-in-Possession

## UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re:

Binder & Binder – The National Social Security Disability Advocates (NY), LLC, *et al.*, <sup>1</sup>

Debtors.

Chapter 11

Case No. 14-23728 (RDD)

(Joint Administration Requested)

## <u>AMENDED</u> NOTICE OF FILING OF BANKRUPTCY PETITIONS, FIRST DAY PLEADINGS AND NOTICE OF FIRST DAY HEARING

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<sup>&</sup>lt;sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: (1) Binder & Binder - The National Social Security Disability Advocates (NY), LLC (1450); (2) SSDI Holdings, Inc. (3038); (3) Binder & Binder - The National Social Security Disability Advocates LLC (8580); (4) Binder & Binder - The National Social Security Disability Advocates (AZ), LLC (5887); (5) Binder & Binder - The National Social Security Disability Advocates (CA), LLC (1456); (6) Binder & Binder - The National Social Security Disability Advocates (CO), LLC (0945); (7) Binder & Binder - The National Social Security Disability Advocates (CT), LLC (0206); (8) Binder & Binder - The National Social Security Disability Advocates (FL), LLC (1455); (9) Binder & Binder - The National Social Security Disability Advocates (GA), LLC (4768); (10) Binder & Binder - The National Social Security Disability Advocates (IL), LLC (1457); (11) Binder & Binder - The National Social Security Disability Advocates (MD), LLC (3760); (12) Binder & Binder - The National Social Security Disability Advocates (MO), LLC (2108); (13) Binder & Binder - The National Social Security Disability Advocates (NJ), LLC (1454); (14) Binder & Binder - The National Social Security Disability Advocates (NC), LLC (1460); (15) Binder & Binder - The National Social Security Disability Advocates (OH), LLC (7827); (16) Binder & Binder - The National Social Security Disability Advocates (PA), LLC (1453); (17) Binder & Binder - The National Social Security Disability Advocates (TX), LLC (1458); (18) Binder & Binder - The National Social Security Disability Advocates VA, LLC (7875); (19) Binder & Binder - The National Social Security Disability Advocates (WA), LLC (0225); (20) Binder & Binder - The National Social Security Disability Advocates (LA), LLC (8426); (21) Binder & Binder - The National Social Security Disability Advocates (MI), LLC (8762); (22) Binder & Binder - The National Social Security Disability Advocates (DC), LLC (5265); (23) The Rep for Vets LLC (6421); (24) National Veterans Disability Advocates LLC (dba The Rep for Vets LLC) (7468); and (25) The Social Security Express Ltd. (4960) (together, the "Debtors").

**PLEASE TAKE NOTICE** that on December 18, 2014 (the "<u>Petition Date</u>"), Binder & Binder – The National Social Security Disability Advocates (NY), LLC, *et al.*, as debtors and debtors-in-possession in the above-captioned chapter 11 cases (collectively, the "<u>Debtors</u>"), filed voluntary petitions for relief under chapter 11 of Title 11 of the United States Code, 11 U.S.C. 101 *et seq* as amended (the "<u>Bankruptcy Code</u>") in the United States Bankruptcy Court for the Southern District of New York.

**PLEASE TAKE FURTHER NOTICE** that the Debtors have requested that their chapter 11 cases be consolidated for procedural purposes only and be jointly administered under Binder & Binder - The National Social Security Disability Advocates (NY), LLC, Case No. 14-23728.

PLEASE TAKE FURTHER NOTICE that, except as set forth below, a hearing on the Debtors' "first day" motions and applications filed on the Petition Date, and set forth below (collectively, the "First Day Motions"), will be held before the Honorable Robert D. Drain, United States Bankruptcy Judge for the United States Bankruptcy Court for the Southern District of New York 10601 on Monday, December 22, 2014 at 10:00 a.m. (prevailing Eastern Time) (the "First Day Hearing"), or as soon thereafter as counsel may be heard, at which time the Debtors will seek entry of orders substantially in the form annexed to the respective motions or applications.

**PLEASE TAKE FURTHER NOTICE** that the Debtors have filed the Declaration of William A. Brandt, Jr. Pursuant To Local Bankruptcy Rule 1007-2 and In Support of the Chapter 11 Petitions and First Day Motions [Docket No. 14] in support of the First Day Motions.

**PLEASE TAKE FURTHER NOTICE** that at the First Day Hearing, the Debtors intend to seek the following relief on a final basis:

- Debtors' Motion for Entry of an Order Pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure Directing the Joint Administration of their Chapter 11 Cases [Docket No. 2]
- Application for Entry of an Order Authorizing and Approving Employment of BMC Group, Inc. as Claims and Noticing Agent for the Debtors Effective as of the Petition Date [Docket No. 3]
- Debtors' Motion For Entry of An Order Extending Time To File Schedules of Assets and Liabilities, Schedules of Executory Contracts and Unexpired Leases and Statements of Financial Affairs and Granting Related Relief [Docket No. 4]
- Debtors' Motion for Entry of an Order Authorizing the Debtors to (A) Pay Certain Prepetition Wages, Reimbursable Employee Expenses and Other Employee Compensation Expenses and (B) Honor Certain Employee Benefits and (C) Granting Related Relief [Docket No. 5]

- Debtors' Motion For Entry of an Order Pursuant to 11 U.S.C. §§ 105(a), 363(b) and 364(c)(2) (I) Authorizing the Debtors to (A) Maintain Prepetition Insurance Coverage and Pay all Related Obligations Thereunder, (B) Maintain Prepetition Premium Financing Agreements, Pay all Obligations Thereunder and Continue Grant of Security Interests to Premium Finance Companies, and (C) Enter Into New Insurance Policies and (II) Authorizing and Directing Financial Institutions to Honor Related Checks and Transfers [Docket No. 8]
- Debtors' Motion For Entry of an Order (A) Waiving the Requirement That Each Debtor File a List of Creditors, (B) Authorizing Service of all Pleadings on a Consolidated List of Top 20 Unsecured Creditors, (C) Authorizing Maintenance of Consolidated List of Creditors in Lieu of Matrix, and (D) Granting Related Relief [Docket No.12]

**PLEASE TAKE FURTHER NOTICE** that the Debtors intend to seek interim approval at the First Day Hearing with respect to the following requests for relief:

- Debtors' Motion for Entry of Interim and Final Orders Authorizing the Debtors to (I) Maintain Their Existing Bank Accounts and Cash Management System; (II) Continue to Use Their Existing Business Forms and Records; and (III) Maintain Existing Investment Practices [Docket No. 6]
- Debtors' Motion For Entry of an Order (A) Authorizing the Payment of Prepetition Income, Franchise, Corporate, Excise, and Other Taxes and Governmental Charges, (B) Authorizing Banks and Financial Institutions to Honor and Process all Checks and Wire Transfers Related Thereto, and (C) Granting Related Relief [Docket No. 9]
- Debtors' Motion for Entry of Interim and Final Orders (I) Approving Post-Petition Senior Secured Financing, (II) Authorizing Use of Cash Collateral, (III) Granting Adequate Protection, and (IV) Modifying the Automatic Stay [Docket No. 14]

**PLEASE TAKE FURTHER NOTICE** that if you wish to be heard respecting any of the foregoing matters, you must attend the First Day Hearing. The First Day Hearing may be adjourned from time to time in open court.

PLEASE TAKE FURTHER NOTICE that if you would like to receive copies of any motions or applications set forth above, you may access such documents online (i) at the Bankruptcy Court's electronic case filing system located at <a href="www.nysb.uscourts.gov">www.nysb.uscourts.gov</a>; (ii) on the website of the Debtors' proposed claims and noticing agent at <a href="www.bmcgroup.com/binder">www.bmcgroup.com/binder</a>, free of charge; or (iii) by contacting BMC Group, Inc. by mail at BMC Group, Inc., Attn: Binder & Binder Claims Processing, P.O. Box 3020, Chanhassen, MN 55317-3020, (iv) by telephone at (212) 644-4551 or by email at <a href="bmcgroup.com">bmcgroup.com</a>.

PLEASE TAKE FURTHER NOTICE that a hearing to consider the following relief, along with any subsequently filed requests for relief will be held before the Honorable Robert D. Drain, United States Bankruptcy Judge for the United States Bankruptcy Court for the Southern District of New York 10601 on Wednesday, January 7, 2015 at 2:00 p.m. (prevailing Eastern Time) (the "Second Day Hearing"), or as soon thereafter as counsel may be heard:

• Debtors Motion for Entry of Interim and Final Orders (I) Prohibiting Utility Companies From Discontinuing, Altering or Refusing Service on Account of Prepetition Invoices, (II) Deeming Utility Companies to Have Adequate Assurance of Future Payment and (III) Establishing Procedures for Resolving Requests for Additional Assurance and Scheduling A Final Hearing [Docket No. 7]

Dated: December 19, 2014

Respectfully submitted,

## LOWENSTEIN SANDLER LLP

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